

Robert C. Ryan (#7164)  
Timothy A. Lukas (#4678)  
HOLLAND & HART LLP  
5441 Kietzke Lane, Second Floor  
Reno, Nevada 89511  
Phone: (775) 327-3042  
Fax: (775) 786-6179  
rcryan@hollandhart.com  
tlukas@hollandhart.com

Christopher B. Hadley  
(Admitted *pro hac vice*)  
JONES, WALDO, HOLBROOK & McDONOUGH, PC  
1441 West Ute Blvd., Suite 330  
Park City, Utah 84098  
Telephone: (435) 200-0087  
Facsimile: (435) 200-0084  
chadley@joneswaldo.com

*Attorneys for Plaintiff and Counter Defendants*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

CHEMEON SURFACE TECHNOLOGY, LLC, a  
Nevada limited liability company,

Plaintiff,

v.

METALAST INTERNATIONAL, INC., a Nevada  
corporation; METALAST, INC., a Nevada  
corporation; SIERRA DORADO, INC., a Nevada  
corporation; DAVID M. SEMAS, an individual;  
GREG D. SEMAS, an individual; and WENDI  
SEMAS-FAURIA, an individual.

Defendants.

DAVID M. SEMAS; and METALAST  
INTERNATIONAL, INC.,

Counterclaimants,

v.

CHEMEON SURFACE TECHNOLOGY, LLC,  
DEAN S. MEILING; and MADYLON  
MEILING,

Counter Defendants.

Case No.: 3:15-cv-00294-MMD-CBC

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO FILE  
PROPOSED JOINT PRETRIAL ORDER**

**[FIRST REQUEST]**

1 Plaintiff and Counter Defendants, by and through their undersigned counsel, Timothy A.  
2 Lukas of Holland & Hart, LLP; and Defendants and Counterclaimants, by and through their  
3 undersigned counsel, Michael D. Hoy of Hoy Chrissinger Kimmel Vallas, PC, stipulate and agree  
4 as follows:

5 1. On February 26, 2019, the Court entered a Minute Order (ECF 480) referring the  
6 matter to settlement.

7 2. On March 12, 2019, the Court issued its Order Scheduling Settlement Conference,  
8 setting April 11, 2019 as the Settlement Conference. The Parties attended the settlement conference  
9 and attempted in good faith to resolve all remaining issues pending before the Court in this case.  
10 They were unsuccessful.

11 3. Subsequent to the settlement Conference, the Parties have continued discussions for  
12 resolution of the matters before the Court. This includes potential issues in case *David Semas, et*  
13 *al. v Chemetall US, Inc., et al.*, Case No. 3:19-cv-00125-MMD-CBC ("*Semas v. Chemetall Case*")  
14 transferred to this Court and involving many of the same facts and parties in this case.

15 4. The parties in both cases have reached an agreement to consent to having this case  
16 and the *Semas v. Chemetall Case* tried before Magistrate Judge Carry and executed their Consent  
17 forms (copies are attached as **Exhibit 1** and **2**) which they shall promptly file with the Court upon  
18 entry of an order approving this stipulation.

19 5. Significant steps in reaching the Magistrate Consents for both cases and with the  
20 parties involved also included the stipulation that all remaining claims in this case (3:15-cv-00294-  
21 MDM-CBC) will be tried without jury and the Parties in this case request to extend the deadline for  
22 filing their proposed Joint Pretrial Order until July 18, 2019. This extends the current deadline set  
23 forth in the Minute Order (ECF 480) which would set the deadline as May 13, 2019 based on the  
24 unsuccessful efforts at the April 11, 2019 settlement conference.

25 6. Pursuant to LR 6-1, this is the first request for an extension of the deadline to file a  
26 joint pretrial order and is made with good cause and in good faith and not for purposes of delay.  
27 The Parties believe the extension of time, resolution of any jury issues in this case (3:15-cv-00294-  
28 MDM-CBC) and Consent to trying this case and the *Semas v. Chemetall Case* to the Magistrate will

1 avoid unnecessary costs and delay in the final adjudication of the merits<sup>1</sup>. Counsel do not believe  
2 that the extension requested would cause any undue delay in this case.

3 IT IS SO STIPULATED.

4 DATED this 3rd day of May, 2019.

DATED this 3rd day of May, 2019.

5 HOLLAND & HART LLP

HOY CHRISSINGER KIMMEL VALLAS PC

6 /s/ Timothy A. Lukas  
7 Robert C. Ryan (7164)  
8 Timothy A. Lukas (#4678)  
5441 Kietzke Lane, Second Floor  
Reno, Nevada 89511

/s/ Michael D. Hoy  
Michael D. Hoy (2723)  
Bank of America Tower  
50 West Liberty Street, Suite 840  
Reno, Nevada 89501

9 *Attorneys for Chemeon Surface Technology*  
10 *and Dean S. Meiling and Madylon Meiling*

*Attorneys for Defendants and*  
*Counterclaimants*

11 IT IS SO ORDERED.

12 UNITED STATES DISTRICT JUDGE

13   
14 DATED: May 7, 2019

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<sup>1</sup> No substantive consolidation of the cases is intended or sought by the parties. The parties in this case and the *Semas v. Chemetall* Case seek only assignment to the same Magistrate assigned to these cases, Magistrate Judge Carry, which they strongly believe will foster efficiency for their respective clients and the court and provide a consistency of rulings given the similar factual nexus in both cases and parties the involved.

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**PROOF OF SERVICE**

Pursuant to FRCP 5, I declare, as follows:

I am employed in the City of Reno, County of Washoe, State of Nevada, by the law offices of Holland & Hart. My business address is 5441 Kietzke Lane, Second Floor, Reno, Nevada 89511. I am over the age of 18 years and not a party to this action.

On May 3, 2019, I served the foregoing **STIPULATION AND ORDER FOR EXTENSION OF TIME TO FILE PROPOSED JOINT PRETRIAL ORDER** as follows:

☒ **ELECTRONIC:** by electronic transmission through the United States District Court's CM/ECF system to the parties below:

Michael D. Hoy  
HOY CHRISSINGER KIMMEL  
Bank of America Tower  
50 West Liberty Street, Suite 840  
Reno, Nevada 89501  
Telephone: (775) 786-8000  
Facsimile: (775) 786-7426  
[mhoy@nevadalaw.com](mailto:mhoy@nevadalaw.com)

*Attorneys for Defendants*

☒ **EMAIL:** Courtesy copies of this document were forwarded by email to the following:

Rew R. Goodenow, Esq.  
Parson Behle & Latimer  
50 W. Liberty Street, Suite 750  
Reno, NV 89501  
[rgoodenow@parsonsbehle.com](mailto:rgoodenow@parsonsbehle.com)

*Attorneys for Defendant Albemarle Corporation in  
Case No. 19-cv-00125-MMD-CBC*

James D. Boyle, Esq.  
Holley Driggs Walch Fine Puzey  
Stein & Thompson  
400 S. Fourth Street, Suite 300  
Las Vegas, NV 89101  
[jboyle@nevadafirm.com](mailto:jboyle@nevadafirm.com)

*Attorneys for Plaintiffs in  
Case No. 19-cv-00125-MMD-CBC*

**HOLLAND & HART LLP**  
5441 Kietzke Lane, 2nd Floor  
Reno, NV 89511  
Phone: (775) 327-3000 ♦ Fax: (775) 786-6179

1 I declare under penalty of perjury under the laws of the United States of America that the  
2 foregoing is true and correct, and that this declaration was executed on May 3, 2019.

3 /s/ Jeanette Sparks  
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# **EXHIBIT 1**

**Notice, Consent and Reference of a Civil  
Action to a Magistrate Judge  
Case No. 3:15-cv-00294-MMD-CBC**

# **EXHIBIT 1**

**Notice, Consent and Reference of a Civil  
Action to a Magistrate Judge  
Case No. 3:15-cv-00294-MMD-CBC**

# UNITED STATES DISTRICT COURT

for the  
District of Nevada

Chemeon Surface Technology, LLC

*Plaintiff*

v.  
Metalast International, Inc., et al.

*Defendant*

Civil Action No. 3:15-cv-00294-MMD-CBC

## NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

*Notice of a magistrate judge's availability.* A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Mag. Judge Carla Carry

*Consent to a magistrate judge's authority.* The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

*Printed names of parties and attorneys*

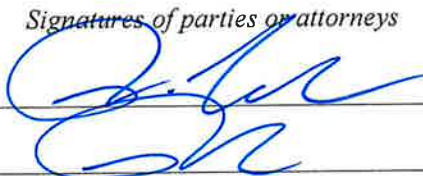
*Signatures of parties or attorneys*

*Dates*

Chemeon Surface Technology, LLC

Dean S. Meiling

(see attached for additional parties)



5-3-19

5-3-19

## Reference Order

**IT IS ORDERED:** This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.


Date: \_\_\_\_\_

\_\_\_\_\_  
*District Judge's signature*

\_\_\_\_\_  
*Printed name and title*

Note: Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.

**NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION**  
**TO A MAGISTRATE JUDGE** (continued)  
Case No. 3:15-cv-00294-MMD-CBC

<i>Printed names of parties and attorneys</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>
Madylon Meiling		5-3-19
Metalast International, Inc.	151	5-3-19
Metalast, Inc.	151	5-3-19
Sierra Dorado, Inc.	151	5-3-19
David M. Semas	151	5-3-19
Greg D. Semas	151	5-3-19
Wendy Semas-Fauria	151	5-3-19



# **EXHIBIT 2**

**Notice, Consent and Reference of a Civil  
Action to a Magistrate Judge  
Case No. 3:19-cv-00125-MMD-CBC**

# **EXHIBIT 2**

**Notice, Consent and Reference of a Civil  
Action to a Magistrate Judge  
Case No. 3:19-cv-00125-MMD-CBC**

# UNITED STATES DISTRICT COURT

for the  
District of Nevada

David Semas, et al.	)	
Plaintiff	)	
v.	)	Civil Action No. 3:19-cv-00125-MMD-CBC
Chemetall US, Inc., et al.	)	
Defendant	)	



## NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION TO A MAGISTRATE JUDGE

*Notice of a magistrate judge's availability.* A United States magistrate judge of this court is available to conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment. The judgment may then be appealed directly to the United States court of appeals like any other judgment of this court. A magistrate judge may exercise this authority only if all parties voluntarily consent.

You may consent to have your case referred to a magistrate judge, or you may withhold your consent without adverse substantive consequences. The name of any party withholding consent will not be revealed to any judge who may otherwise be involved with your case.

Mag. Judge Carla Carry

*Consent to a magistrate judge's authority.* The following parties consent to have a United States magistrate judge conduct all proceedings in this case including trial, the entry of final judgment, and all post-trial proceedings.

Printed names of parties and attorneys	Signatures of parties or attorneys	Dates
David M. Semas		05/03/19
Metalast, Inc.		05/03/19
(see attached for additional parties)		

## Reference Order

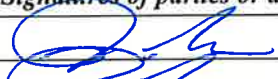
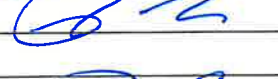





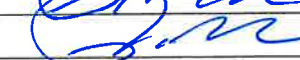

**IT IS ORDERED:** This case is referred to a United States magistrate judge to conduct all proceedings and order the entry of a final judgment in accordance with 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73.

Date: \_\_\_\_\_ District Judge's signature \_\_\_\_\_


Printed name and title

**Note:** Return this form to the clerk of court only if you are consenting to the exercise of jurisdiction by a United States magistrate judge. Do not return this form to a judge.

**NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION  
TO A MAGISTRATE JUDGE (continued)**  
Case No. 3:19-cv-00125-MMD-CBC

<i>Printed names of parties and attorneys</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>
Chemetall US, Inc.		5-3-19
BASF Corporation		5-3-19
Qualichem Inc.		5-3-19
Dubois Chemicals, Inc.		
Miles Chemical Company		5-3-19
John Schneider & Associates, Inc.		5-3-19
Broco Products, Inc.		5-3-19
Ronatec C2C, Inc.		5-3-19
Electroplating Consultants International		5-3-19
Albemarle Corporation		
Southern Industrial Chemicals, Inc.		5-3-19
Chemeon Surface Technology		5-3-19

**NOTICE, CONSENT, AND REFERENCE OF A CIVIL ACTION  
TO A MAGISTRATE JUDGE (continued)**  
Case No. 3:19-cv-00125-MMD-CBC

<i>Printed names of parties and attorneys</i>	<i>Signatures of parties or attorneys</i>	<i>Dates</i>
Chemetall US, Inc.		
BASF Corporation		
Qualichem Inc.		
Dubois Chemicals, Inc.		
Miles Chemical Company		
John Schneider & Associates, Inc.		
Broco Products, Inc.		
Ronatec C2C, Inc.		
Electroplating Consultants International		
Albemarle Corporation		4/30/19
Southern Industrial Chemicals, Inc.		
Chemeon Surface Technology		